## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

: Date: August 24, 2000 In re application of:

DataCore Software Corporation

Group Art Unit:

Serial Number:

Examiner:

Filed: 8-28-2000

Attorney:

Title: APPARATUS AND METHOD FOR

John C. Smith

**USING STORAGE DOMAINS FOR** 

4800 North Federal Highway, Suite A-207

**CONTROLLING DATA IN STORAGE** 

Boca Raton, FL 33431

AREA NETWORKS

Telephone: (561) 394-4666

## **VERIFIED STATEMENT OF SMALL ENTITY STATUS UNDER 37 CFR 1.9(f)** AND 37 CFR 1.27(c) - SMALL BUSINESS CONCERN

The Honorable Commissioner of Patents and Trademarks Washington, D.C. 20231

Dear Sir:

I, Ziya Aral, hereby declare that I am:

the owner of the small business listed below;

XXX an official of the small business concern empowered to act on behalf of the concern identified below:

Name of small business concern:

DataCore Software Corportion

Address of Small Business Concern: 6261 NW 6th Way, Suite #110

Fort Lauderale, Florida 33309

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law gave been conveyed to and remain with the small business concern identified above with regard to the invention described in:

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<ul><li>XXX the specification filed herewith with title as listed above.</li><li>the application identified above.</li><li>the patent identified above.</li></ul>
If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention must file separate verified statements averring to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an individual inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).
Each person, concern or organization having any rights in the invention is listed below:
XXX no such person, concern or organization exists each person, concern or organization is listed below
Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)
I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.
Ziya Aral, Chairman

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DATE OF DEPOSIT: &-Z8-Z000

I hereby certify that this paper or fee is being deposited with the United States Postal Service Express Mail Post Office to Addressee service under 37 CFR §1.10 on the date indicated above and is addressed to: Box Patent Application, Assistant Commissioner for Patents, Washington, D.C. 20231

Signature of person mailing paper or fee

John C. Smith, Registration No. 33,284 Printed name of person mailing paper or fee

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## DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

## APPARATUS AND METHOD FOR USING STORAGE DOMAINS FOR CONTROLLING DATA IN STORAGE AREA NETWORKS

the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application	n(s):	Priority Claimed	
(Number)	(Country)	(Day/Month/Year	Yes No
I hereby claim the benefit application(s) listed below application is not disclose first paragraph of Title 35 information as defined in the filing date of the prior application:	w and, insofar as the seed in the prior United 5, United States Code, Title 37, Code of Fed	ubject matter of each of States application in the , §112, I acknowledge t eral Regulations, §1.56	the claims of this manner provided by the he duty to disclose material which occurred between
(Application Serial #)	(Filing D	ate)	(Status)
I hereby declare that all si	tatements made hereir	n of my own knowledge	are true and that all

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statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint John C. Smith, U.S.P.T.O. Registration Number 33,284, as my attorney to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. Send correspondence to John C. Smith, 4800 N. Federal Highway, Suite A-207, Boca Raton, Florida 33431 and direct all telephone calls to John C. Smith (561) 394-4666.

FULL NAME OF INVENTOR: Thierry Laurent
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ignature of person mailing paper or fee

John C. Smith, Registration No. 33,284
Printed name of person mailing paper or fee